

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 747/94

Transfer Application No:

DATE OF DECISION: 27/10/1994

B.R. Irani & N.L. Gupta Petitioner

Shri. K.B. Talreja Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

Shri. S.C. Dhawan Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S. Deshpande, V.C

The Hon'ble Shri P.P. Srivastava, Member (A)

1. To be referred to the Reporter or not ? M

2. Whether it needs to be circulated to other Benches of
the Tribunal ? N


(M.S. Deshpande)
V.C

J*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 747/94

B. R. Irani & N.L. Gupta ... Applicants

Vs.

1. The Union of India through
General Manager,
Central Railway, Bombay VT.
2. The Divl. Railway Manager
Central Railway, Bombay VT.
3. The Chief Commercial Manager
Central Railway, Bombay VT. ... Respondents

CORAM : 1. Hon'ble Shri. Justice. M.S. Deshpande, V.C
2. Hon'ble Shri. P.P. Srivastava, M(A)

Appearances

1. Shri. K.B. Talreja, Counsel
for applicants
2. Shri. S.C. Dhawan, Counsel
for respondents

ORAL JUDGMENT

DATED : 27/10/1994

X Per. Hon'ble Shri. M.S. Deshpande, V.C X

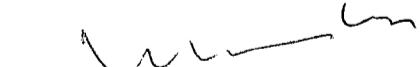
We have heard the learned counsel. The facts are few. On 25.8.93, the applicants wanted to resort to a "Vishal Dharna" and 'Mass Casual Leave' and the respondents deducted wages for one day without verifying the fact as to whether the staff were absent or on one day's casual leave on Dharna account or for any other reason. The wages of about 750 persons came to be deducted by the respondents.

The question raised on behalf of the applicants is that the applicants were not heard before the action of deducting one day's wages was resorted to. Since the wages have already been deducted, we think, the requirements of the present case will be met by permitting the applicants to make a representation as to why they should be refunded the amount which has been deducted from the wages on account of mass casual leave. Such a representation be made to the respondents within a period of one month and the respondents shall hear the persons who make the representations and pass appropriate orders to restore the wages or give reasons for withholding the same on the facts of each individual case.

2. With this direction, the O.A is disposed-off.



(P.P. SRIVASTAVA)
M(A)


(M.S. DESHPANDE)
V.C